



Docket No. 75723-ZB/JPW/GJG/CS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David Baltimore et al.

Serial No.: 10/037,415 Examiner: D. Guzo

Filed : January 4, 2002 Group Art Unit: 1636

For : NUCLEAR FACTORS ASSOCIATED WITH TRANSCRIPTIONAL  
REGULATION

1185 Avenue of the Americas  
New York, New York 10036  
August 8, 2008

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with their duty of disclosure under 37 C.F.R. §1.56, Applicants direct the Examiner's attention to the following disclosures, which are also listed on the attached substitute Form PTO-1449 (**Exhibit A**).

Applicants note that item 1 listed herein was previously cited in an Office Action issued June 26, 2008, in connection with copending U.S. Serial No. 10/037,341. Items 2-7 were previously cited in an Office Action issued July 6, 2007, in connection with the copending merged proceeding of *Ex Parte Reexamination Control Nos. 90/007,503 and 90/007,828*.

Item 1 is a U.S. Patent Application publication, as permitted under 37 C.F.R. §1.98(a)(2)(ii), a copy of item 1 is not enclosed herewith. For the Examiner's convenience, copies of items 2-7 are attached hereto as **Exhibits 1-6**.

The Examiner is respectfully requested to make the items of record in the subject application by initialing and dating the attached substitute Form PTO-1449, and returning a copy of the initialed and dated form to Applicants' undersigned attorneys.

1. U.S. Patent Application Publication No. 2007-0207943, published September 6, 2007, Ebner et al.;
2. Ariad Pharmaceuticals v. Dudas, Civil Action No. 1:06cv679 (U.S. Dist. Ct.: Eastern District of Va: Alexandria): Memorandum of Points and Authorities In Support of Motion To Dismiss Or In the Alternative For Summary Judgment and Opposition to Plaintiff's Motion For Summary Judgment, pp1-30; (**Exhibit 1**)
3. Harant et al., (1997) "1alpha,25-dihydroxyvitamin D3 and a variety of its natural metabolites transcriptionally repress nuclear-factor-kappaB-mediated interleukin-8 gene expression," Eur. J. Biochem., 250:63-71; (**Exhibit 2**)
4. Kunin et al., (2002) "Reach-Through Claims in the Age of Biotechnology," Am. U.L. Rev., 51:609-638; (**Exhibit 3**)
5. Meyer et al., (1997) "Cyclosporine A is an uncompetitive inhibitor of proteasome activity and prevents NF-kappaB activation," FEBS Lett., 413:354-358; (**Exhibit 4**)
6. Roman-Blas et al., (2006) "NF-kappaB as a potential therapeutic target in osteoarthritis and rheumatoid arthritis," Osteoarthritis Cartilage, 14:839-48; (**Exhibit 5**) and
7. Yamamoto et al., (2005) "Systemic and local cytokine production in quiescent ulcerative colitis and its relationship to future relapse: a prospective pilot study," Inflamm. Bowel Dis., 11:589-596. (**Exhibit 6**)

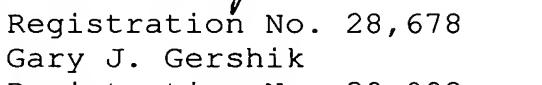
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Page 3 of 3 of Supplemental Information Disclosure Statement

This Supplemental Information Disclosure Statement is being submitted under 37 C.F.R. §1.97(c)(2), before the mailing of a Final Office Action. Accordingly, Patentees enclose a check in the amount of ONE HUNDRED AND EIGHTY DOLLARS (\$180.00) for filing this Supplemental Information Disclosure Statement.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

No fee, other than the enclosed \$180.00 fee for filing a Supplemental Information Disclosure Statement, is deemed necessary in connection with filing this Supplemental Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the additional amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

  
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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

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 Date  
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## **EXHIBIT A**

**of Supplemental Information Disclosure Statement  
filed August 8, 2008**

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